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TAGS: [PHUM](#) [PREL](#) [UNHRC](#) [UK](#)
SUBJECT: UK MAY CONSIDER WITHDRAWAL FROM DURBAN REVIEW
CONFERENCE

Classified By: Charge Mark C. Storella. Reasons: 1.4 (B/D).

¶1. (C) SUMMARY: The UK ambassador in Geneva privately told the Charge on October 31 that HMG might withdraw from the Durban process early in 2009 if that process did not improve and UK redlines were crossed. In that and a previous meeting, the UK delegation said that maintaining EU consensus on Durban was growing increasingly difficult. Our interlocutors hoped for close coordination with the U.S. regarding decisions on participation in Durban. END SUMMARY.

DURBAN STATE-OF-PLAY

¶2. (SBU) The most recent Durban Preparatory Committee (PrepCom) produced a massive and unwieldy compilation of over 600 paragraphs, drawn from regional preparatory documents and other sources, to be used in preparing a final draft outcome document for the April 2009 Review Conference. Boiling this down to an outcome document will now fall to an inter-sessional, intergovernmental working group that is to convene for two weeks in January/February. A proposal was considered for the Swiss PolCouns in Geneva to chair the working group; the Swiss government has yet to decide whether to approve this proposal, and we understand the Russian PolCouns is now also being floated as a candidate to take on that role should the Swiss decline.

THOUGHTS OF WITHDRAWAL FROM DURBAN

¶3. (C) In an October 31 meeting with the Charge, UK Ambassador Peter Gooderham underscored his government's growing frustration with the Durban process. Gooderham said that although no firm policy had been decided, frustration could well lead HMG to withdraw from Durban, possibly early in 2009, if the process got worse and/or it led to overstepping of UK redlines. In an October 30 meeting with us, a UK poloff described those redlines as involving mention of reparations for the slave trade, any hint of restricting freedom of expression, overly unfair characterizations of Israel and the Occupied Palestinian Territories, or mention of counterterrorism measures.

¶4. (C) Asked by the Charge whether other EU members might also withdraw, Gooderham noted that only a few might do so. Underscoring that he was merely speculating, Gooderham singled out Estonia, given its concerns about language that Russia might introduce concerning treatment of ethnic minorities, and suggested that the Netherlands might be among the handful of others to do so as well.

THE CHALLENGES OF INFLUENCING THE EU

¶5. (C) The UK poloff noted that the UK, working closely with the Netherlands, Denmark, Romania and the Czech Republic, were pressing hard to maintain a firm EU stance on Durban.

The EU was planning an internal stock-taking session for sometime early in 2009, and the UK might push for that to happen sooner rather than later in order to focus on clear EU redlines for the current text.

¶16. (C) Retaining an EU consensus on a firm stand would become more difficult in the period ahead, we were told, as the Durban preparations focused more heavily on slavery issues. Views on those issues ranged widely within the EU, and while several states supported the UK position against any mention of reparations for slavery, none supported HMG's view that mentioning apologies for a history of slavery was also inappropriate in the Durban context of its outcome document.

¶17. (C) The UK poloff added that Egypt had approached the EU with talk of a final-stage deal in which OIC/Africa Group proposals on defamation would be dropped in exchange for dropping EU language on sexual orientation. That might appeal to the majority of EU members, our interlocutor noted, putting the UK in an even tougher spot if its other redlines had been breached.

¶18. (C) In addition to language on slavery and defamation, the UK was frustrated with the broad support evidenced at the PrepCom for other positions that would cross UK redlines. Language on counter-terrorism measures, for instance, had wide-ranging support from not only the Organization of Islamic Conference (OIC) but also the African Group, the Group of Latin and Central American States (GRULAC), and the Asian Group. Procedural issues also raised hackles in London. These included the consistent bracketing of EU contributions (many of which were UK proposals) in the draft outcome document, as well as the proliferation of Durban

preparatory meetings that would sap UN resources.

WEIGHING IN WITH PILLAY

¶19. (C) As we have noted previously, High Commissioner for Human Rights Navanathem Pillay is deeply invested in the success of the Durban process. Expressing frustration with Pillay's role, Gooderham reported that she would be visiting London in the next few weeks, at which time she would be told firmly about HMG's concerns and strongly encouraged to change her approach.

UK APPEALS FOR COORDINATION WITH U.S.

¶10. (C) As HMG considered possible withdrawal from Durban, Gooderham emphasized that close coordination with the USG was essential. U.S. thinking would weigh significantly on that of the HMG, as well as of several other governments that might consider withdrawal. Most important, however, was to avoid a situation in which the UK opted to withdraw only to have the U.S. announce shortly thereafter its decision to participate.

COMMENT

¶11. (C) For the moment EU determination to stand against the worst language proposed for the Durban Review Conference draft document holds. That determination is under threat, however, from diverging member state views. The UK ambassador's approach to us offers an excellent opportunity to influence HMG thinking and to maintain good coordination on the issue.

STORELLA